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CIVIL SESSIONS
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No. 1-371-w

JURY DEMANDED

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Wal-Mart store located at 6777 Clinton Highway, Knoxville, Tennessee 37912. On said date, plaintiff, Herman Drew, was shopping at said Wal-Mart store when he slipped and fell over a ladder that was left in the aisle of a shopping area. As a result of the ladder being left unattended in the shopping aisle at Wal-Mart, the plaintiff, Herman Drew, fell landing on his right shoulder sustaining significant injury.

5. Plaintiffs, Herman Drew and Joyce Denise Drew, aver that the defendant, Wal-Mart, knew or should have known of the danger presented by the unattended ladder sitting in a shopping aisle and yet had negligently neither corrected the situation or warned of the ladder in the aisle prior to the plaintiff, Herman Drew's, fall. Plaintiffs further aver that the defendant, Wal-Mart, owed a duty of reasonable care to know and either warn of the ladder sitting in the aisle that caused plaintiff, Herman Drew, to fall and sustain injury. Wal-Mart's breach of these duties was negligence and the cause of plaintiff, Herman Drew's, fall and injury.

6. As a result of falling over the ladder, plaintiff, Herman Drew, fell landing on his right shoulder sustaining significant injury causing him to undergo surgery.

7. As a result of his injuries and the treatment thereof, plaintiffs have incurred significant medical bills, and plaintiff, Herman Drew, has suffered great pain, has undergone and continues to undergo rehabilitation of his right arm and shoulder, and plaintiffs aver that Herman Drew's injuries are permanent in nature to an extent as yet undetermined. Plaintiff, Herman Drew, further avers that he has been deprived of enjoying the riches of life as a result of his injuries.

8. As a result of the injuries to her husband, co-plaintiff, Joyce Denise Drew, has been deprived of her husband's valuable services, society, and consortium. Co-plaintiff, Joyce Denise Drew, is financially obligated for her husband's medical bills incurred as a result of the slip and fall at Wal-Mart which is the subject of this lawsuit.

WHEREFORE, plaintiff, Herman Drew, requests a judgment against the defendant in a sum to be determined by a jury not to exceed THREE HUNDRED THOUSAND DOLLARS (\$300,000.00), and plaintiff requests a jury to try this action; and plaintiff, Joyce Denise Drew, requests a judgment against the defendant in a sum to be determined by a jury not to exceed THIRTY THOUSAND DOLLARS (\$30,000.00), and plaintiff requests a jury to try this action; and both plaintiffs request a jury to try this action.

Respectfully submitted:

ADAM M. PRIEST (BPR #020247)
Pryor, Priest, Harber, Floyd & Coffey
P.O. Box 870
Knoxville, Tennessee 37901
(865) 522-4191

A handwritten signature in black ink, appearing to read 'Adam M. Priest', is written over a horizontal line.


Attorney for Plaintiffs

COST BOND

We, HERMAN DREW and JOYCE DENISE DREW, as Principals, and PRYOR, PRIEST, HARBER, FLOYD & COFFEY, as Surety, are held and firmly bound unto the Circuit Court for Knox County, Tennessee, for the payment of all costs awarded against the principals. To that end, we bind ourselves, our heirs, executors, and administrators.

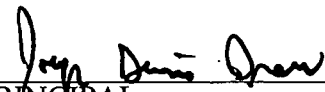
The Principals are commencing a legal proceeding in the Circuit Court for Knox County, Tennessee. If the Principals shall pay all costs which are adjudged against them, then this obligation is void. If the Principals fail to pay, then the surety shall undertake to pay all costs adjudged against the Principals Mandated at T.C.A. § 20-12-120, et seq.

Herman Drew
103 Quail Run Court
Clinton, Tennessee 37776

 *w/permission by ADP*

PRINCIPAL

Joyce Denise Drew
103 Quail Run Court
Clinton, Tennessee 37776

 *w/permission by ADP*

PRINCIPAL

PRYOR, PRIEST, HARBER, FLOYD & COFFEY
Two Centre Square, Suite 600
625 Gay Street
P. O. Box 870
Knoxville, Tennessee 37901

By: 

SURETY